EXCISE DEPARTMENT.

SALE OF COUNTRY BEER TAVERNS IN THE BOWRINGPET TALUK FOR 1902-1903.

Notice No. 6735—13, dated 30th April 1902.

1. Notice is hereby given that the exclusive privilege of selling Country Beer or Porter in each of the taverns specified in the appended schedule, for the twelve months beginning with 1st July 1902 and ending with 30th June 1903 will be put up to public auction on the 2nd June 1902 in the Gold Fields Special Magistrate's Court by the Deputy Commissioner, Kolar District, or other officer authorised by him, the upset price being Rs. 24 per hogshead of Beer or Porter which will be sold in each tavern.

2. The manufacturers of Beer will not be allowed to bid for or purchase the taverns either *directly* or *indirectly*.

3. Each bidder at the auction will deposit a sum of Rs. 250 or such other reasonable amount as may be fixed by the officer conducting the sale, previous to bidding. Each tavern will be knocked down to the approved bidder who offers the highest rate per hogshead, subject to the formal confirmation by the Deputy Commissioner, who will be at liberty to accept or reject the bid at discretion, without assigning reasons for the same. Such formal confirmation will, unless revised by Government, be tantamount to an acceptance of the bid. Parties intending to bid must attend either in person or by duly accredited agents.

4. As soon as the auction is completed, the deposits made by the unsuccessful bidders and not forfeited as hereinafter provided, will be returned to them.

5. The persons to whom the taverns have been knocked down, shall within seven days from the date of the auction, deposit such further sum as, with the first deposit, will make up a total security of Rs. 500 for each tavern knocked down to them, and shall take out licenses and execute a counterpart engagement, on the conditions hereinafter set forth. On the failure of any person to make the deposit or to take out license or to execute the counterpart engagement, as aforesaid, the tavern will be re-sold at the risk of such person, or if the auction hereby notified has already been completed, will be otherwise disposed of at the discretion of the Deputy Commissioner. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns.

6. Re-sales effected under para 5 will be at the risk of the defaulting bidder, who will forfeit all gain; and in the event of a loss by re-sale, he will make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale. In the latter case, the forfeited deposit will be deducted from the loss arising from the re-sale, and the remainder, if any, will be recovered from the bidder in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposit be greater than the loss by re-sale, the whole of such deposit will be credited to Government.

7. The license to be taken out under para 5 above, shall be subject to the following conditions, namely:—

(1) The privilege conferred by the license extends to the sale of Country Beer or Porter brewed on the Nilgiris, or by Messrs. Meakin & Co., Kirkee, or by Messrs. Abraham & Co., Bangalore, or in any other Brewery approved by Government.

(2) Each tavern shall be maintained in or close to the existing tavern as described in the Schedule hereto appended.

(3) The amount payable for each month on account of the number of hogsheads of Beer or Porter sold, shall be paid into the Taluk Treasury in the first week of the following month, on the challan prescribed for the purpose. The security deposit of Rs. 500 will be taken towards the amount due for the last two months of the period of the lease. Failing payment as above, the Deputy Commissioner shall at once proceed to recover the arrears together with interest at 6 per cent under the rules in force for the collection of land revenue. No remission or abatement of the Government dues shall, on any account whatever, be claimable by the licensee.

(4) The licensee shall further pay a duty of two annas for every gallon of Country Beer or Porter purchased by him.

(5) The consignment of Country Beer or Porter purchased by the licensee shall be sent direct from the Brewery to the Amildar of the taluk. The letter of advice covering the consignment shall be in duplicate, the original being sent to the Amildar of the taluk, and the duplicate to the Excise Commissioner. On the duty at the abovementioned rate being paid by the licensee of the prescribed challan, the Amildar shall allow the licensee to remove the consignment to his tavern upon a pass signed by the Amildar or other officer authorized on this behalf.

(6) The licensee shall use such measures as may from time to time be prescribed by Government, and provide himself with the printed forms of accounts and permits or passes for transport of Beer or Porter, which forms shall be purchased from local Excise Officers.

(7) This lease shall not be transferable by sale, gift, mortgage or otherwise without the previous sanction of the Excise Commissioner.

(8) The Vendor shall equally with the License-holder be responsible in the penalties herein set forth for breach of any of the conditions of the license.

(9) He shall sell Beer or Porter of approved quality. It may be sold to be drunk on the premises up to one reputed quart bottle at a time. It may be sold to be removed off the premises upon the prescribed passes up to one Imperial gallon (4 seers).

(10) He shall not sell or give Beer or Porter in any quantity whatever directly or indirectly to any European non-commissioned officer or private soldier, nor to any European or East Indian woman connected with or related to, men of these classes, nor allow him, her, or them to drink Beer or Porter in his premises or grounds; he shall not permit drunkenness or disorderly behaviour in his shop or premises, and shall not suffer any gambling whatsoever therein and will not knowingly permit prostitutes or persons of notoriously bad character to meet or remain therein; he shall not wilfully harbour or conceal therein soldiers or others knowing or having reason to believe such soldiers or others to be deserters; he shall give information of suspicious characters to the Magistrate or Police Officer; and he shall not sell or give Beer or Porter to any Police Officer, Railway servant, or Excise Officer, whilst on duty.

(11) He shall fix in a conspicuous place outside of his shop a board on which shall be legibly painted his name, Vendor's name, the number of his shop, and the article he is licensed to deal in.

(12) He shall not receive any articles whatsoever in barter or pledge and that payment for Beer or Porter shall be made in ready money only at one and a quarter rupee per Imperial gallon and proportionately for fractions thereof.

(13) The Beer and Porter sold under this license shall contain 75 per cent of malt or any of the preparations of malt and 3 lbs. of good Kent hops per hogshead, and shall be of the same quality and density as purchased from the Brewer, without dilution or adulteration. The original gravity of the beer wort shall not exceed 1070 at 60° Fahrenheit. The Beer and Porter sold shall not contain more than 8 per cent alcohol by volume. The licensee will be bound to pay duty at the prescribed rate per gallon of proof spirit on all alcohol in the Beer or Porter in excess of 8 per cent by volume, besides being liable for prosecution. Samples of such Beer and Porter shall be sent duly bottled from the Brewery or tavern for examination and test whenever required by the Excise Department.

(14) Any Magistrate having local jurisdiction, or any officer acting under his warrant, or any Abkari or Excise Officer shall be allowed entry to the shop at any hour to test the Beer or Porter on the premises, and examine the shop accounts, which it shall be the duty of the License-holder and Vendor to keep and produce. Such accounts shall be true and correct, and written up daily in the prescribed forms. All condemned Beer shall be destroyed.

(15) He shall close his shop by 9 P. M., and not open it before 6 A. M., except on special permit in cases of Native festivals, etc.

(16) Beer brought for the Commissariat Department and rejected by the Military or other Departments, shall not, under any circumstances, be forwarded for sale in the tavern.

(17) The shop shall have only one door, and no window shall be allowed to the rear or ends of the building; the bar where the liquor is sold from, shall be opposite to the entrance door, and so situated that all persons inside can be seen by any one passing to and fro in the street; and no second room shall be allowed to be kept open for customers.

(18) The licensee shall be bound by the rules in force, and which may be issued from time to time by Government.

(19) In the case of any breach of the above conditions either by the licensee, or with his connivance and privity, by any person in his employment, or in the event of the licensee neglecting to open his tavern or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding Rs. 10 for every such breach or neglect, or at the option of the Deputy Commissioner, to declare the money deposited with him forfeited, and to cancel the license and to re-sell the privilege or to otherwise dispose of it at the risk of the licensee; and all loss thereby caused, together with the loss accruing to Government in consequence of the licensee not carrying on his business by opening his tavern on 1st July 1902, shall be made good by him. When a license is cancelled, the rent for the whole period of the lease shall become due at once, which shall be recovered together with all losses as if they were arrears of land revenue.

(20) The penalties laid down in the last preceding clause shall not exempt the licensee or his employees from prosecution for any offence committed against the Excise laws or rules in force.

Taluk.	Locality where Tavern is to be opened.
Bowringpet.	1. Bowringpet kasaba.
	2. Gonimaklapalli.

SALE OF DRAUGHT FOREIGN BEER TAVERN IN THE KOLAR GOLD FIELDS FOR 1902-03.

Notice No. 6736—14, dated 30th April 1902.

1. Notice is hereby given that the exclusive privilege of selling draught foreign Beer, Porter or Ale at Gonimaklapalli near Kolar Gold Fields for the twelve months' beginning with 1st July 1902 and ending with 30th June 1903 will be put up to public auction on the 2nd June 1902 in the Special Magistrate's Court by the Deputy Commissioner, Kolar District, or other officer authorised by him.

2. Each bidder at the auction will deposit a sum of Rs. 250 or such other reasonable amount as may be fixed by the officer conducting the sale, previous to bidding. The tavern will be knocked down to the approved highest bidder, subject to the formal confirmation by the Deputy Commissioner, who will be at liberty to accept or reject the bid at discretion, without assigning reasons for the same. Such formal confirmation will, unless revised by Government, be tantamount to an acceptance of the bid. Parties intending to bid must attend either in person or by duly accredited agents.

3. As soon as the auction is completed, the deposits made by the unsuccessful bidders and not forfeited as hereinafter provided, will be returned to them.

4. The person to whom the tavern has been knocked down, and who has made deposit as provided in para 2 above, shall also, within seven days from the date of the auction, deposit such further sum as will make up an amount equal to two months' rent, and shall take out license and execute a counterpart engagement on the conditions hereinafter set forth. On the failure of any person to make the deposit or to take out license or to execute the counterpart engagement, as aforesaid, the tavern will be re-sold at the risk of such person, or if the auction hereby notified has already been completed, will be otherwise disposed of at the discretion of the Deputy Commissioner. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns.

5. Re-sales effected under para 4 will be at the risk of the defaulting bidder, who will forfeit all gain; and in the event of a loss by re-sale, he will make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale. In the latter case, the forfeited deposit will be deducted from the loss arising from the re-sale; and the remainder, if any, will be recovered from the bidder in the same manner as if it were an arrear of land revenue. Should however, the forfeited deposit be greater than the loss by re-sale, the whole of such deposit will be credited to Government.

6. The license to be taken out under para 4 above shall be subject to the following conditions, namely:—

(1) The privilege extends to the sale of only *draught* genuine foreign malt liquors to be consumed on the premises, and to sale to any person at a time up to one reputed quart for removal from the same.

(2) The tavern shall be maintained in the locality described in the license.

(3) The amount for which the privilege has been purchased, shall be payable into the Taluk Treasury in equal monthly instalments commencing from July 1902; each instalment shall be regarded as the rent for the month in respect of which it is payable. Each month's rent shall be payable on or before the 20th of the same month on the challan prescribed for the purpose. The deposit of two months' rent made by the licensee, will be taken in payment of the rents due for the last two months of the period of the lease. Failing payment by the 20th of the same month, the Deputy Commissioner shall at once proceed to recover the arrears together with interest at 6 per cent under the rules in force for the collection of land revenue. No remission or abatement of the rent shall, on any account whatever, be claimable by the licensee.

(4) The consignment of beer or porter or ale purchased by the licensee shall be sent direct to the Amildar of the taluk. The letter of advice covering the consignment shall be in duplicate, the original being sent to the Amildar of the taluk, and the duplicate to the Excise Commissioner. After duly verifying the consignment, the Amildar will allow the licensee to remove it to his tavern upon a pass signed by the Amildar or other officer authorized on this behalf.

(5) The licensee shall use such measures as may from time to time be prescribed by Government, and provide himself with the printed forms of accounts and permits or passes for transport of beer or porter or ale, which forms shall be purchased from local Excise officers.

(6) This lease is not transferable by sale, gift, mortgage or otherwise without the Excise Commissioner's previous sanction.

(7) The vendor shall equally with the license-holder be responsible in the penalties herein set forth for breach of any of the conditions of the license.

(8) He shall not sell or give beer or porter or ale in any quantity whatever directly or indirectly to any European non-commissioned officer or private soldier, nor to any European or East Indian woman connected with, or related to, men of these classes, nor allow him, her, or them to drink beer or porter or ale in his premises or grounds; he will not permit drunkenness or disorderly behaviour in his shop or premises, and will not suffer any gambling whatsoever therein, and will not knowingly permit prostitutes or persons of notoriously bad character to meet or remain therein; he will not wilfully harbour or conceal therein soldiers or others, knowing or having reason to believe such soldiers or others to be deserters; he will give information of suspicious characters to the Magistrate or Police officer; and he shall not sell or give beer or porter or ale to any Police officer, Railway servant, or Excise officer whilst on duty.

(9) He shall fix in a conspicuous place outside of his shop a board on which shall be legibly painted his name, vendor's name, the number of his shop, and the article he is licensed to deal in.

(10) He shall not receive any articles whatsoever in barter or pledge.

(11) The beer and porter or ale sold shall be genuine foreign malt liquors of good quality. Samples of such beer or porter or ale shall be sent duly bottled from the tavern for examination and test whenever required by the Excise Department.

(12) Any Magistrate having local jurisdiction or any officer acting under his warrant or any Abkari or Excise officer shall be allowed entry to the shop at any hour to test the beer or porter or ale on the premises, and examine the shop accounts, which it shall be the duty of the license-holder and vendor to keep and produce. Such accounts shall be true and correct, and written up daily in the prescribed forms. All condemned beer shall be destroyed.

(13) He shall close his shop by 9 P.M. and not open it before 6 A.M., except on special permit in cases of native festivals, etc.

(14) Beer brought for the Commissariat Department and rejected by the Military or other departments, shall not, under any circumstances, be forwarded for sale in the tavern.

(15) The shop shall have only one door, and no window will be allowed to the rear or ends of the building; the bar where the liquor is sold from, shall be opposite to the entrance door, and so situated that all persons inside can be seen by any one passing to and fro in the street; and no second room shall be allowed to be kept open for customers.

(16) The licensee shall be bound by the rules in force and which may be issued from time to time by Government.

(17) In the case of any breach of the above conditions either by the licensee, or with his connivance and privity, by any person in his employment, or in the event of the licensee neglecting to open his tavern or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding Rs. 10 for every such breach or neglect, or at the option of the Deputy Commissioner to declare the money deposited with him forfeited, and to cancel the license and to re-sell the privilege or to otherwise dispose of it at the risk of the licensee; and all loss thereby caused, together with the loss accruing to Government in consequence of the licensee not carrying on his business by opening his tavern on 1st July 1902, shall be made good by him. When a license is cancelled, the rent for the whole period of the lease shall become due at once, which shall be recovered together with all losses as if they were arrears of land revenue.

(18) The penalties laid down in the last preceding clause shall not exempt the licensee or his employees from prosecution for any offence committed against the Excise Laws or Rules in force.

P. N. PUENAIYA,
Excise Comr. in Mysore.

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